

AMENDED IN SENATE APRIL 14, 2005

**SENATE BILL**

**No. 846**

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**Introduced by Senator Aanestad**

February 22, 2005

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An act to add Section 27011.5 to the Government Code, relating to charter schools.

LEGISLATIVE COUNSEL'S DIGEST

SB 846, as amended, Aanestad. Charter school funding.

Existing constitutional law authorizes the county treasurer to make temporary transfers of funds in custody of the treasurer, under specified conditions, as may be necessary to provide funds for meeting obligations incurred for the maintenance purposes by any county, city, district, or political subdivision whose funds are in custody and are paid solely through the treasurer's office.

This bill would ~~permit~~ *authorize* the county treasurer to accept for deposit in the county treasury money paid for the benefit of a charter school, ~~with these moneys to be deposited into an appropriate fund in the treasury established for that purpose~~ *provided that all public funds of the charter school are deposited with the county treasurer. This bill would require, if those funds are deposited with the county treasurer, that the county treasurer shall be designated as the treasurer for the charter school and the county treasury shall be the direct and sole depository of the charter school's public funds.* This bill would permit a county treasurer to make a temporary transfer of funds to a charter school if all funds of the charter school are in the custody of the county treasurer and other specified conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 27011.5 is added to the Government Code, to read:

27011.5. (a) Notwithstanding Section 27011, the county treasurer may accept for deposit in the county treasury money paid for the benefit of a charter school, established pursuant to Part 26.8 (commencing with Section 47600) of the Education Code, ~~with these moneys to be deposited into an appropriate fund or subfund of the treasury established for that purpose. Code,~~ *provided that all public funds of the charter school are deposited with the county treasurer. If the public funds of the charter school are deposited with the county treasurer, the county treasurer shall be designated as the treasurer for the charter school and the county treasury shall be the direct and sole depository of the charter school's public funds. The term "public funds," as used in this section, means all federal, state, and local government funding, including any funds received in lieu of local property tax revenues and other local funds received pursuant to subdivision (b) of Section 47636 of the Education Code.*

(b) A county treasurer may, upon request, provide a temporary transfer of funds to a charter school only if all funds of the charter school are in the custody of the county treasurer and all of the requirements of Section 6 of Article XVI of the California Constitution are met.

(c) *The charter school shall be responsible for notifying the county treasurer of any change in its legal status.*

(d) *This section shall not be construed to require a county treasurer to accept for deposit money paid for the benefit of a public charter school.*